

LANG et al.  
S.N. 10/829,176  
OA 13 April 2006

**REMARKS:**

Claims 1 and 3-5 are currently pending. The Specification is amended as per the Examiner's request. A Replacement Sheet for Figure 1 is attached hereto on a separate sheet. No new material is added.

**Rejections under 35 USC §112**

Claims 3 and 6-7 are rejected for allegedly failing to particularly point out and distinctly claim the subject matter the applicant regards as the invention. Claims 6-7 are canceled and those rejections are moot. In regards to Claim 3, the Examiner asserts that the ratio is in an incorrect form and is improper because no units are specified. Applicants respectfully disagree. First, Applicants respectfully submit that ratios are inherently unitless because reciprocal units cancel each other out. For example, the ingredients in a recipe that required 500 grams and 300 grams of each, would be in the ratio of 5:3, with no units<sup>1</sup>. Further, Applicants respectfully submit that Claim 3 does specify the elements of the recited ratio. Claim 3 recites the ratio of runback at the upper end of the dividing wall into either the inflow or offtake sections.

Accordingly, Applicants respectfully submit that the Examiner's rejections have been traversed and favorable action is solicited.

**Rejections under 35 USC §103**

Claims 1, 4 and 5 are rejected for allegedly being obvious in view of US 3,297,701 in light of Schultz et al., Lestak and Collins, and Kaibel because the processes of the instant invention would have been obvious in light of the teachings of the cited. Applicants have followed the suggestions of the Examiner on page 7 of the instant Action and have rewritten Claim 1 to include all of the limitations of Claim 2. Accordingly, Claim 1 and all Claims depending therefrom rejected under §103 are in condition for allowance. Favorable action is solicited.

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<sup>1</sup> <http://en.wikipedia.org/wiki/Ratio>